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# U.S. Says Army Shielded Barbie; Offers Its 'Regrets' to the French

## Justice Department Says Gestapo Chief Was Paid For Spying and Was Aided in Flight to Bolivia

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Special to The New York Times

WASHINGTON, Aug. 16 — The United States said today for the first time that the Army had hidden Klaus Barbie, a former Gestapo officer wanted by the French for war crimes, employed him as a spy in Germany and then helped him escape to Bolivia.

The chief White House spokesman, Larry Speakes, said that a formal note expressing the "deep regrets" of the United States for the concealment of Mr. Barbie was delivered by the State Department to the French Embassy Friday.

It was the first official admission by the United States that the Army had helped Mr. Barbie avoid prosecution and had employed him for its own purposes. Mr. Barbie has been called the "butcher of Lyons" for his activities in that French city during World War II.

The findings were in a 218-page report issued today by the Justice Department. The report concluded a five-month investigation ordered by Attorney General William French Smith in response to charges raised in France and the United States that Mr. Barbie had been employed as a spy by American intelligence officials and that he received American assistance in escaping to Bolivia in 1951.

The report concluded that in 1950, several "responsible officials of the Army," up to the rank of brigadier general, had obstructed justice by lying to United States civilian authorities in occupied Germany in an effort to hide Mr. Barbie from the French. It said the officials did this while using him as an anti-Communist informant.

### U.S. Misinformed French

The report said this misinformation led United States authorities to tell the French falsely, although unwittingly, that Mr. Barbie could not be found. The French had sought his extradition to stand trial for war crimes that included the murder and torture of French

Resistance fighters and Jews, and the deportation of thousands of Jews and other noncombatants to Nazi death camps.

Mr. Barbie, a 69-year-old native of Germany, was expelled in February from Bolivia, where he had lived since 1951, to France. He is now being held in jail in Lyons on charges of committing "crimes against humanity" as chief of the Gestapo in Lyon between 1942 and 1944.

The apology to France was made in accordance with a recommendation by Allan A. Ryan Jr., the author of the report issued today. He was director of a special Justice Department office responsible for investigating Nazi war criminals in the United States until he was assigned in March to investigate Mr. Barbie's links to the United States.

"As the investigation of Klaus Barbie has shown, officers of the United States Government were directly responsible for protecting a person wanted by the Government of France on criminal charges and in arranging his escape from the law," Mr. Ryan wrote in a Aug. 2 memorandum to Mr. Smith.

The memorandum, including its recommendation that the United States express regret to France "for its responsibility in delaying the due process of law in the case of Klaus Barbie," was released along with the report. The note to the French Embassy was not made public.

Mr. Speakes said "there was no interagency conspiracy to conceal Barbie from the French." This was apparently a reference to Mr. Ryan's finding that the concealment of Mr. Barbie was "not condoned in any official sense by the United States Government," because the Army's Counter Intelligence Corps had acted on its own.

But Mr. Ryan also said "the United States cannot disclaim responsibility" for the hiding of Mr. Barbie by officers who "were acting within the scope of their official duties."

After helping Mr. Barbie flee from Germany to Italy and putting him and his family on a ship from Genoa to Bolivia in 1951, Mr. Ryan said, the Army severed its relationship with him.

### Did Not Know of War Crimes

Mr. Ryan found that the initial decision in April 1947 to use the former Gestapo officer as a paid spy, gathering information about German Communists and Soviet and French intelligence activities in occupied Germany, was "defensible" because the Army did not know of the charges against him at the time.

Even though some might find it "incomprehensible and shameful" to hire a former Gestapo leader, whose job had been to fight the French Resistance, Mr. Ryan said, "Resistance fighters were not in the same category as innocent victims of the Holocaust; they were combatants in the same category as soldiers."

But he concluded that the Army had kept using Mr. Barbie as a paid informant for more than three years, even after those working with him and their superiors had learned in 1949 that he was wanted for war crimes, including murder and torture of Jews as well as Resistance fighters in France, and after France sought to have him extradited in 1950.

An order from Counter Intelligence Corps Headquarters in 1949 to drop Mr. Barbie as a spy was disregarded. Eventually, the report said, there was "a calculated and indefensible decision" to conceal Mr. Barbie's role as a paid spy for the Army and hide him from United States civilian officials.

### French Asked Extradition

In June 1950, after the French Government had filed an extradition request with the United States High Commission for Germany, Army intelligence officers told the High Commission that Mr. Barbie had once been employed by them but was no longer, and that the Army did not know his whereabouts.

"These statements were false, because Barbie was then employed by the Army in Germany," Mr. Ryan said at a news conference today and in his report. These false statements led the State Department, of which the High Commission was a branch, unknowingly to mislead the French by telling

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